

**United States District Court**  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

**CRAIG CUNNINGHAM,**

**Plaintiff,**

**v.**

**360 HEALTH SERVICES, LLC, *et al.*,**

**Defendants.**

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**Civil Action No. 4:20-cv-109-ALM-KPJ**

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On February 22, 2023, the Magistrate Judge entered a report and recommendation (Dkt. #43) that Plaintiff Craig Cunningham's claims against remaining Defendants 360 Health Services, LLC, Nicholas Pape, Nicholas Jenkins, Dr. Howard Newman, Leverage Management Solutions, LLC, and John/Jane Does 1-4<sup>1</sup> be dismissed without prejudice.

Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED** that Plaintiff's claims in this action against the remaining Defendants are **DISMISSED WITHOUT**

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<sup>1</sup> In the Complaint's (Dkt. 1) case style, Plaintiff styles this lawsuit as an action against John/Jane Does 1-5, *see id.* at 1, but then refers only to John/Jane Does 1-4 in his Complaint, *see id.* at 2. Therefore, the Court refers to these Defendants as John/Jane Does 1-4.

**PREJUDICE.**

All relief not previously granted is hereby **DENIED**, and the Clerk is directed to **CLOSE** this civil action.

**IT IS SO ORDERED.**

**SIGNED this 28th day of March, 2023.**

  
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AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE